

STAFF REPORT

**Business of the Building and Standards Commission
City of West University Place, Texas**

AGENDA OF: January 7, 2016	DOCKET NO. : 2015-04
DATE SUBMITTED: December 18, 2015	DEPARTMENT OF ORIGIN: Development Services
PREPARED BY: Clay Chew, CBO, CFM City Building Official	PRESENTER: Staff
SUBJECT: Variance request to refurbish and remodel existing monument sign.	STAFF PRESENTER: Clay Chew, CBO, CFM City Building Official
ATTACHMENTS: Copy of the Variance Request; Plan to renovate West U Marketplace; Plan review by Building Official; Relevant Code Section;	

STAFF SUMMARY

Background:

Accent Sign and Awning submitted a plan to remodel the existing monument sign at 4004 Bellaire (West U Marketplace). It is the Building Official's opinion the new sign design will cause the existing sign to lose its prior nonconforming (PNC) status. PNC status is retained when only the face is changed and there is no other structural alteration.



City of West University Place

APPLICATION TO THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS ("CITY")

Address of site: 4004 Bellaire Blvd. (Whole Foods) sign associates with 4000Bla
HOUSTON, TX 77025 "West U" Shopping Center

Legal description of the site: shopping center

Applicant: Fidelis Realty Partners, Ltd.

Address: 4500 Bissonnet Suite #300 Bellaire, TX 77401

Contact: Melanie Hoff

Phone: 713-693-1414

Fax: 713-693-1444

Email Address: mhoff@frpltd.com

Decision or Action Requested (check one or more and provide requested data):

() **Appeal.** Hear and decide an appeal from an order, requirement, decision or determination made by the building official (or other administrative official) of the City.

- Name and title of the administrative official:
- Is the official's action in writing? () Yes; () copy is attached. () No, but the action appealed is as follows:

- When was the action taken? Note: Appeals must be filed within a reasonable time. Please explain any delay below:
- Exact code of ordinance section(s) involved:
- Grounds for appeal:

() **Special Exception.**

- Exact code of ordinance section that authorizes the special exception:
- Exact wording of special exception requested:

(☒) **Variance.**

- Exact code of ordinance section from which a variance is requested: chapter 6.2 article (signs)
- Exact wording of variance requested: Request Return to 3 Remodel existing sign

Other Data. Are there drawings or other data? () No (☒) Yes (list items here and attach them)

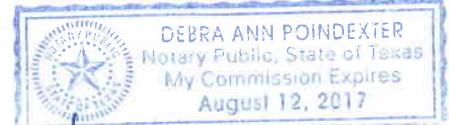
- Building renovation conceptual drawing
- Sign renovation conceptual drawing
- Engineering
- Other supporting docs

State of Texas

County of Harris

This instrument was acknowledged before me on 18 December 20 15
by Andrea Breed

(Seal)



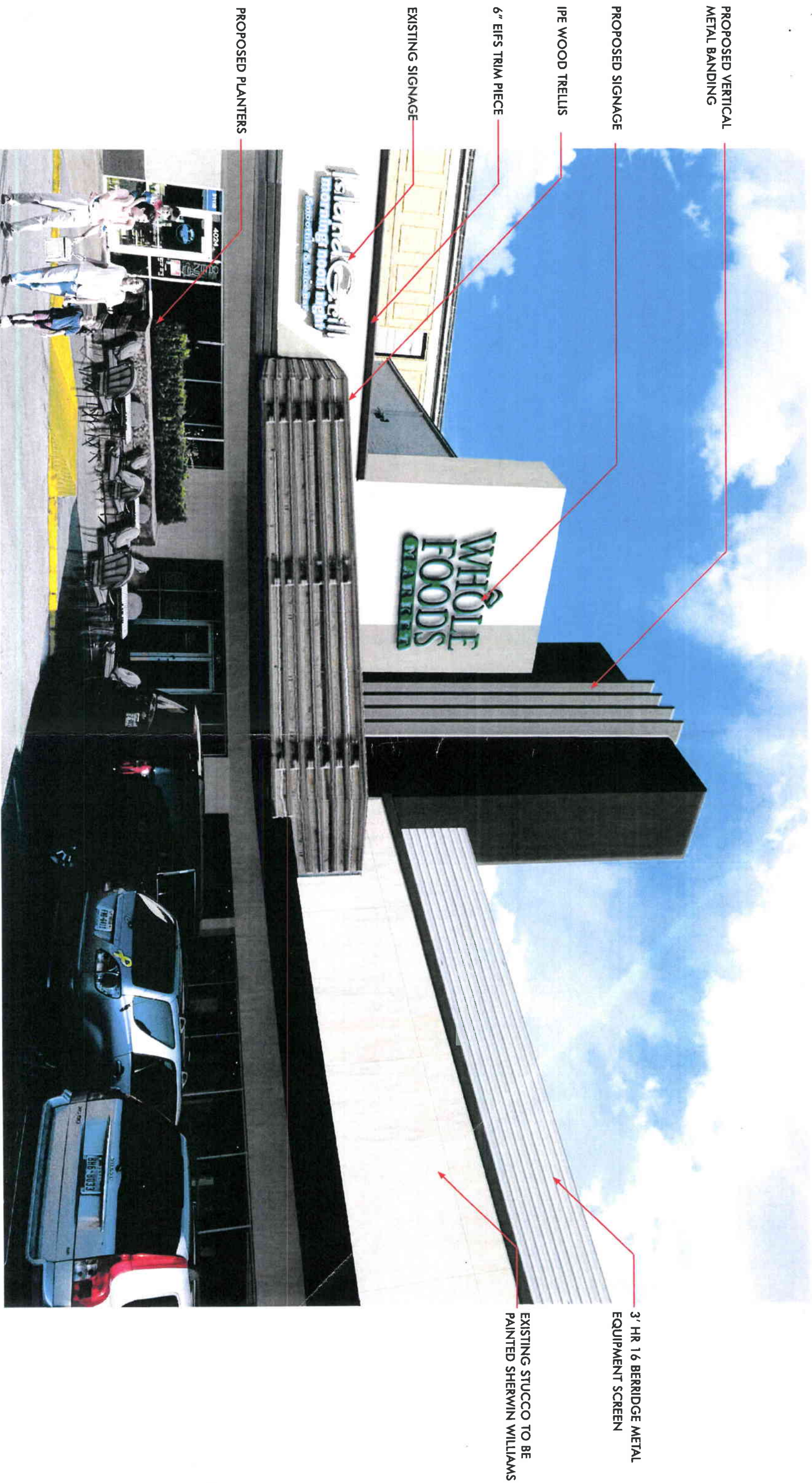
My commission expires: 8/12/17

Debra Ann Poindexter, Notary Public

***** PROVIDE ORIGINAL PLUS 15 COPIES (16 TOTAL) OF ALL SUBMITTALS *****

Signature of applicant: [Signature] Date: 12/18/2015

For Staff Use only Date filed: 12.18.2015 Date heard: 1.7.2016 Docket#: 2015-04



PROPOSED VERTICAL
METAL BANDING

PROPOSED SIGNAGE

IPE WOOD TRELLIS

6" EIFS TRIM PIECE

EXISTING SIGNAGE

PROPOSED PLANTERS

3' HR 16 BERRIDGE METAL
EQUIPMENT SCREEN

EXISTING STUCCO TO BE
PAINTED SHERWIN WILLIAMS

WEST U MARKETPLACE

HOUSTON, TEXAS



PROPOSED THEATER AND
WHOLE FOODS TOWER OPTION 1

Do not use for
regulatory approval,
permit or construction.

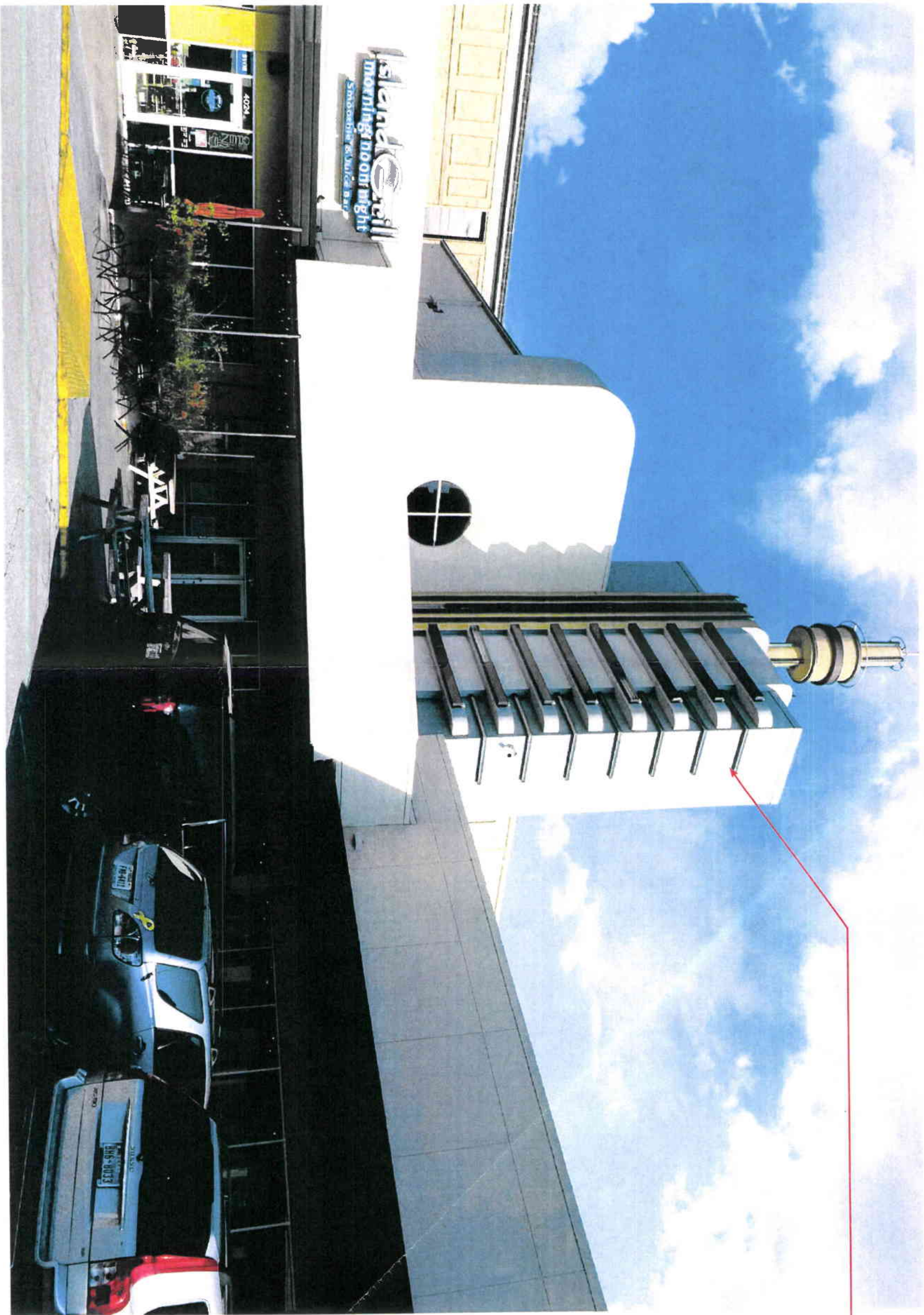
① N T S

PROJECT: 1504800 DATE: 08/06/2015

6802 Mayfield, Suite 200 | Bellaire, Texas 77401 | 713.785.3644



© Boulder Design Group LLC 2015



REMOVE NEON
CHANNELS

WEST U MARKETPLACE HOUSTON, TEXAS





6" EIFS TRIM PIECE
EXISTING SIGNAGE
EXISTING STUCCO
TO BE PAINTED
SHERWIN WILLIAMS



IPE WOOD TRELLIS

PROPOSED GOOSE
NECK LIGHT

PROPOSED MURAL

6" EIFS TRIM PIECE
EXISTING SIGNAGE
TO BE PAINTED
SHERWIN WILLIAMS

WEST U MARKETPLACE

HOUSTON, TEXAS

REMOVE NEON
CHANNELS

REMOVE LIGHT



WEST U MARKETPLACE
HOUSTON, TEXAS

EXISTING CHASE BANK
SOUTH ELEVATION



6" EIFS TRIM PIECE
3' HR 16 BERRIDGE
METAL EQUIPMENT
SCREEN

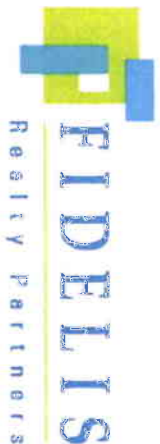
IPE WOOD TRELLIS
EXISTING STUCCO
TO BE PAINTED
SHERWIN WILLIAMS



REMOVE NEON
CHANNELS

WEST U MARKETPLACE

HOUSTON, TEXAS



EXISTING WHOLE FOODS
EAST ELEVATION

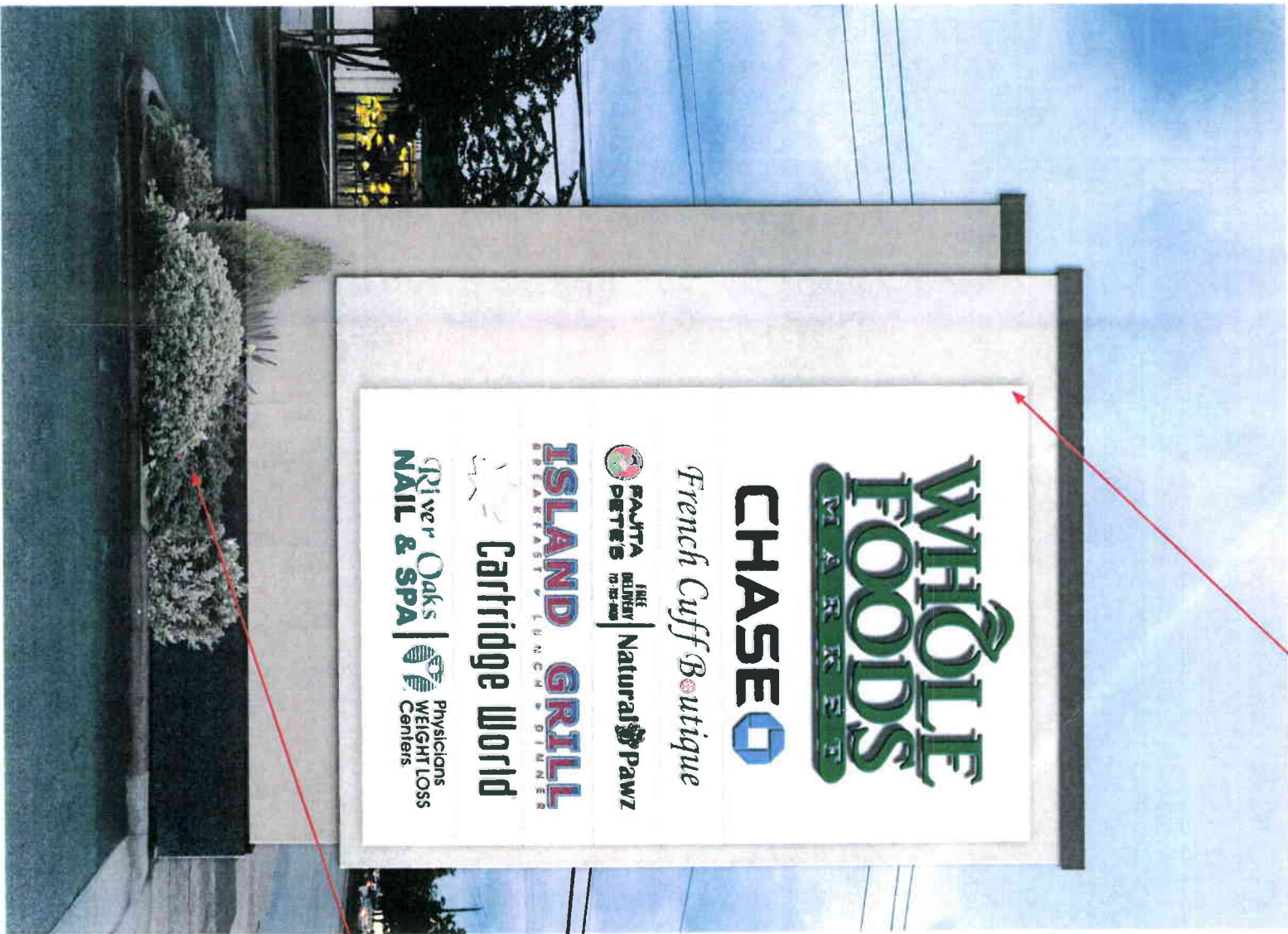
Do not use for
any other project,
partial or complete.
PROJECT: 1504800 DATE: 08/06/2015
6802 Mapleridge, Suite 200 | Bellaire, Texas 77401 | 713.785.3664
© Boulder Design Group LLC 2015



EXISTING SIGN



PROPOSED SIGN

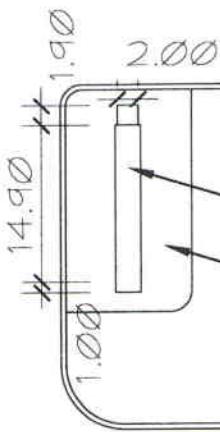


INTERNALLY LIT SIGN
CABINET

EXISTING LANDSCAPE

MESLAYAN AVENUE

PROPOSED MONUMENT SIGN
PROPOSED LANDSCAPE



BELLAIRE BOULEVARD

PROPOSED LANDSCAPE
AT BASE

EXISTING LANDSCAPE

EXISTING PARKING SPACES TO REMAIN

WEST U MARKETPLACE HOUSTON, TEXAS

SPECIFICATIONS

REMOVE & DISPOSE OF EXISTING CABINET & POLE COVER

FABRICATE & INSTALL NEW D/F ILLUMINATED MONUMENT USING EXISTING SUPPORT

- 1 CABINET: ALL ALUMINUM FABRICATION. FINISH: P1
- 2 LETTERS: 1 1/2" DEEP FABRICATED ALUMINUM LETTERS. FINISH: P2
- 3 CAP: ALL ALUMINUM FABRICATION. FINISH: P3
- 4 FLEX FACE: FULL BLEED FLEX FACE.
- 5 FACE: 1/8" ALUMINUM REMOVABLE PANELS W/ COUNTERSUNK SCREWS. FINISH: P4
 - GRAPHICS: ROUTED & BACKED W/ 3/16" 7328 WHITE ACRYLIC (GRAPHICS FORTHCOMING)
- 6 PANEL: CORRUGATED ALUMINUM. FINISH: P5
- 7 CABINET: ALL ALUMINUM. FINISH: P6
- 8 BASE: ALL ALUMINUM. FINISH: P3
- 9 SUPPORT: (2) EXISTING 16" STD PIPES
- 10 FOOTING: (2) EXISTING 3'-6" Ø X 8'-6"

- INTERNALLY ILLUMINATED BY DHO LAMPS
- ALL INTERNAL STEEL TO BE PRIMED
- ALUMINUM ANGLE FRAME
- NO VISIBLE FASTENERS ON FACE
- COUNTER SUNK SCREWS ON ENDS

FINISH SCHEDULE

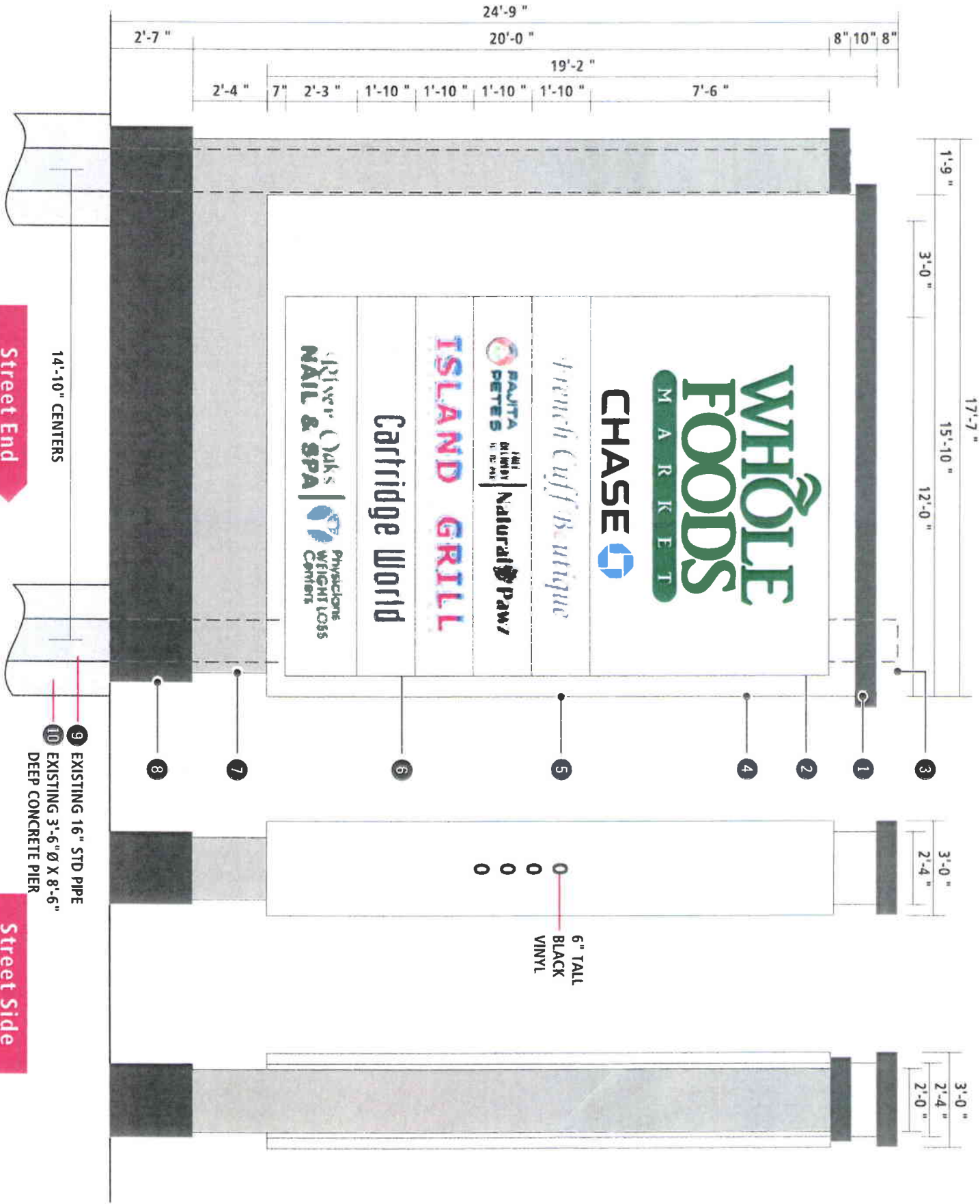
PAINT COLORS - SATIN FINISH

- ☐ P1: LITE BEIGE (TBD)
 - ☐ P2: MP BRUSHED ALUMINUM
 - ☐ P3: BROWN (TBD)
 - ☐ P4: WHITE
 - ☐ P5: FAUX WOOD (TBD)
 - ☐ P6: DARK BEIGE (TBD)
- APPROVED BY: _____

ELECTRICAL REQUIREMENT:

ELECTRICAL LOAD:

CUSTOMER TO PROVIDE ARTWORK FOR TENANT PANELS PRIOR TO PROD



SIGN LAYOUT

SCALE: 1/4" = 1'-0"

NOTE: DIMENSIONS ARE ONLY ACCURATE WHEN PRINTED ON 11"x17" PAPER AT FULLSCALE

DATE: / / LANDLORD APPROVAL:

DATE: / / CLIENT APPROVAL:



6015 Skyline Dr. • Houston, TX 77057
Phone: 713-780-1151 Fax: 713-780-7518
www.accentisignco.com



Project Information	
Job Name:	Fidelis
Location:	
City/State:	Hou., TX
Date:	8.27.15
Sales Rep:	Mike Clements
Drawn By:	Ace Schlitznicky
Drawing #:	ASA15 0375 3

Revisions	
2	11.23.15 ADDED FOOTING KAT
3	12.2.15 CHANGE PANEL SZ KAT

Production Approval	Date:
Salesman:	

Copyright

THIS RENDERING IS THE PROPERTY OF ACCENT SIGNS & AWNINGS. ANY REPRODUCTION OR EXHIBITION OF DRAWING IS STRICTLY PROHIBITED. ©2015 ACCENT SIGNS & AWNING. THIS RENDERING MAY NOT BE USED TO BUILD AND/OR CONSTRUCT WHAT IS DEPICTED HEREIN WITHOUT THE EXPRESS WRITTEN CONSENT OF ACCENT SIGNS & AWNINGS



A



6015 Skyline Dr. • Houston, Tx 77057
Phone: 713-780-1151 Fax: 713-780-7518
www.accentsignco.com



Project Information	
Job Name:	Fidelis
Location:	
City/state:	Hou., TX
Date:	8.27.15
Sales Rep:	Mike Clements
Drawn By:	Ace Schlitznicky
Drawing #:	ASA15 0375 3

Revisions	
2	11.23.15 ADDED FOOTING KAT
3	12.2.15 CHANGE PANEL SZ KAT

Production Approval	
Salesman:	Date:

Copyright

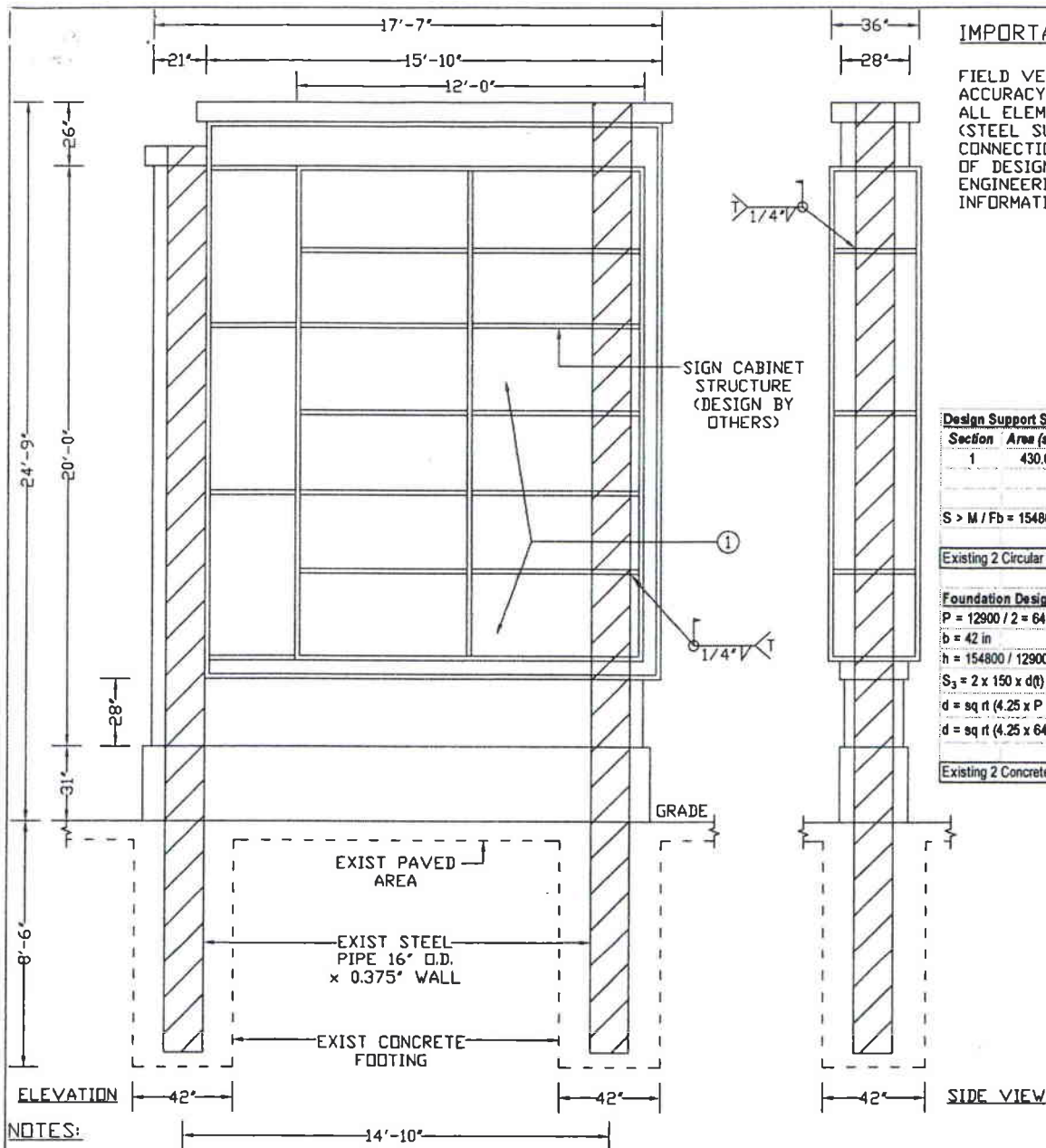
THIS RENDERING IS THE PROPERTY OF ACCENT SIGNS & AWNINGS. ANY REPRODUCTION OR EXHIBITION OF DRAWING IS STRICTLY PROHIBITED. ©2015 ACCENT SIGNS & AWNING. THIS RENDERING MAY NOT BE USED TO BUILD AND/OR CONSTRUCT WHAT IS DERIVED HEREIN WITHOUT THE EXPRESS WRITTEN CONSENT OF ACCENT SIGNS & AWNINGS.



Existing Conditions

SIGN LAYOUT

SCALE: 1/4" = 1'-0"



IMPORTANT NOTE:

FIELD VERIFICATION FOR MEASUREMENT ACCURACY AND STRUCTURAL INTEGRITY OF ALL ELEMENTS OF EXISTING STRUCTURE (STEEL SUPPORT, FOUNDATION, CONNECTIONS AND MORE) NOT IN SCOPE OF DESIGN ENGINEER AND SMB ENGINEERING. EXISTING STRUCTURE INFORMATION PROVIDED BY ACCENT SIGNS.

Design Support Steel (Check Existing)

Section	Area (sq ft)	Shape Factor	Wind (psf)	Force	Moment
1	430.00	1	30	12900	154800
				12900	154800

$$S > M / F_b = 154800 \times 12 \times 1.2 (SF) / 2 \times 35000 = 31.84 \text{ cu in} < 70.3 \text{ cu in}$$

Existing 2 Circular Steel Pipes 16 in O.D. x 0.375 in Wall are O.K.

Foundation Design (Check Existing)

$$P = 12900 / 2 = 6450$$

$$b = 42 \text{ in}$$

$$h = 154800 / 12900 = 12.0$$

$$S_3 = 2 \times 150 \times d(t) = 2 \times 150 \times 7 = 2100$$

$$d = \text{sq rt} (4.25 \times P \times h / S_3 \times b)$$

$$d = \text{sq rt} (4.25 \times 6450 \times 12.0 / 2100 \times 3.50) = 6.69 \text{ ft}$$

Existing 2 Concrete Footings 42 in Diameter x 8.5 ft Deep are O.K.



12/9/15

SMB
ENGINEERING, LLC

WWW.SMBENGINEERING.NET
TEL: 832-443-7328

TEXAS REGISTRATION NUMBER: F-10116

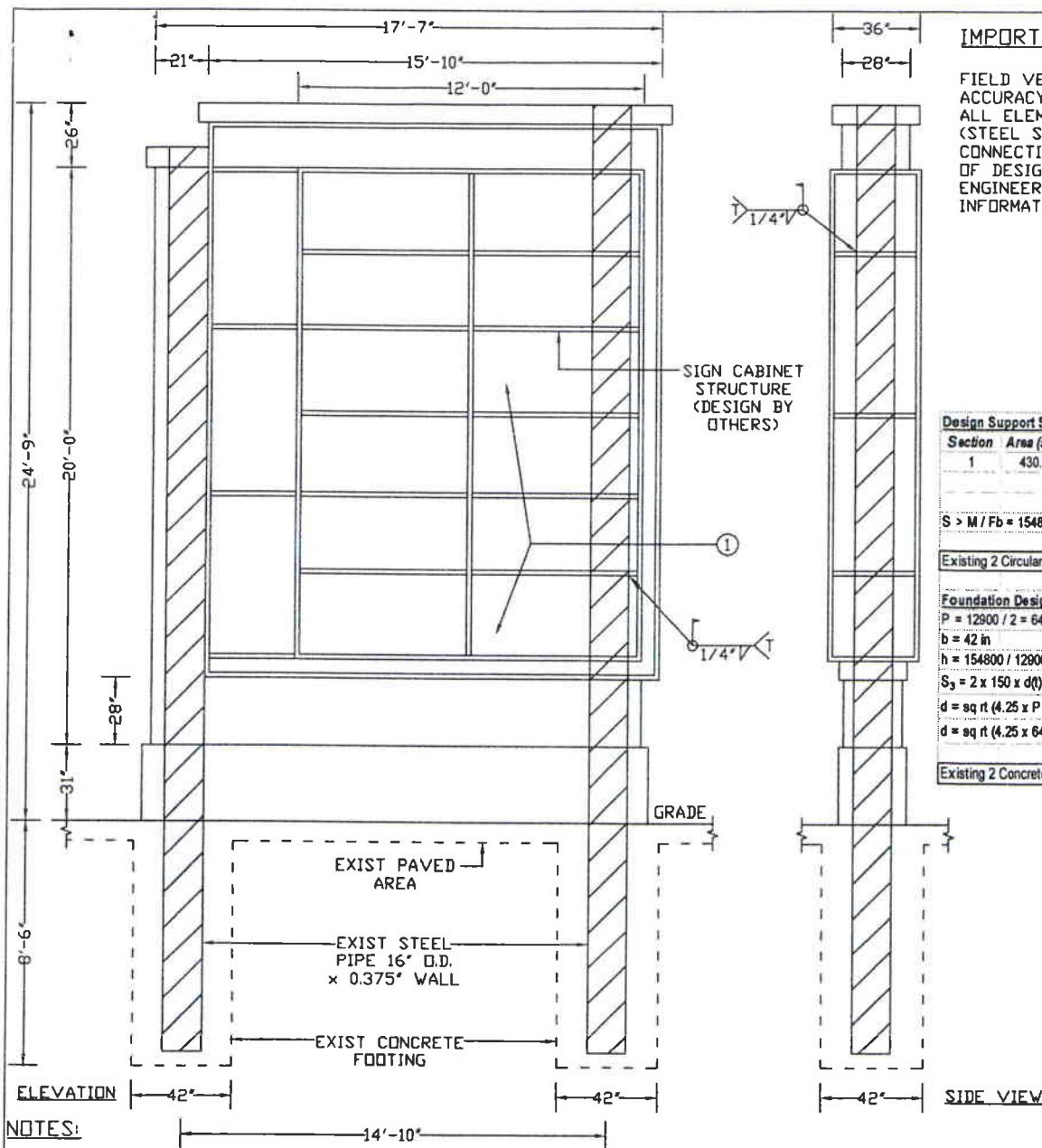
ACCENT
SIGNS

6015 SKYLINE DRIVE
HOUSTON, TX

WEST U
MARKETPLACE

4004 BELLAIRE BLVD.,
HOUSTON, TX

SCALE : NTS
DRAWN BY : HMN
DATE : DEC 2015
PROJECT : 15-1651
REV: 0
PAGE : 1 OF 1



IMPORTANT NOTE:

FIELD VERIFICATION FOR MEASUREMENT ACCURACY AND STRUCTURAL INTEGRITY OF ALL ELEMENTS OF EXISTING STRUCTURE (STEEL SUPPORT, FOUNDATION, CONNECTIONS AND MORE) NOT IN SCOPE OF DESIGN ENGINEER AND SMB ENGINEERING. EXISTING STRUCTURE INFORMATION PROVIDED BY ACCENT SIGNS.

Design Support Steel (Check Existing)

Section	Area (sq ft)	Shape Factor	Wind (psf)	Force	Moment
1	430.00	1	30	12900	154800
				12900	154800

$$S > M / F_b = 154800 \times 12 \times 1.2 (SF) / 2 \times 35000 = 31.84 \text{ cu in} < 70.3 \text{ cu in}$$

Existing 2 Circular Steel Pipes 16 in O.D. x 0.375 in Wall are O.K.

Foundation Design (Check Existing)

$$P = 12900 / 2 = 6450$$

$$b = 42 \text{ in}$$

$$h = 154800 / 12900 = 12.0$$

$$S_y = 2 \times 150 \times d(t) = 2 \times 150 \times 7 = 2100$$

$$d = \text{sq rt} (4.25 \times P \times h / S_y \times b)$$

$$d = \text{sq rt} (4.25 \times 6450 \times 12.0 / 2100 \times 3.50) = 6.60 \text{ ft}$$

Existing 2 Concrete Footings 42 in Diameter x 8.5 ft Deep are O.K.

NOTES:

- DESIGN IS BASED ON 2006 IBC - WIND SPEED OF 110 MPH (3-SEC GUST), EXPOSURE C, IMP FACTOR=1.0
- THIS DESIGN IS INTENDED FOR SIGN TO BE INSTALLED AT THE ADDRESS SHOWN AND SHALL NOT BE USED AT ANY OTHER LOCATIONS UNLESS CERTIFIED BY A PROFESSIONAL ENGINEER.
- ENGINEER IS NOT THE ENGINEER OF RECORD FOR THE OVERALL PROJECT AND SHALL ONLY BE RESPONSIBLE FOR THE DESIGN OF SIGN STRUCTURE FOR WHICH CALCULATIONS ARE SHOWN ON THIS PAGE. (SIGN CABINET STRUCTURE DESIGN SHALL BE PROVIDED BY OTHERS).
- ALL NEW HSS TUBE SECTIONS SHALL MEET ASTM A500 GRADE-B WITH MINIMUM YIELD STRESS $F_y=46$ KSI.
- ALL NEW HSS ROUND SECTIONS SHALL MEET ASTM A500 GRADE-B WITH MINIMUM YIELD STRESS $F_y=42$ KSI.
- ALL NEW WIDE FLANGE SECTIONS SHALL MEET ASTM A992 WITH MINIMUM YIELD STRESS $F_y=50$ KSI.
- ALL NEW PIPE (OTHER THAN HSS ROUND) SHALL MEET ASTM A53 GRADE-B WITH MINIMUM YIELD STRESS $F_y=35$ KSI.
- ALL OTHER NEW STEEL INCLUDING CONNECTION PLATES, ANGLES, ETC. SHALL MEET ASTM A36 WITH MINIMUM YIELD STRESS $F_y=36$ KSI.
- ALL STRUCTURAL BOLTS SHALL CONFORM TO ASTM A325 UNLESS OTHERWISE NOTED AND SHALL BE GALVANIZED.
- ALL NEW WELDING SHALL BE MADE WITH E70xx ELECTRODES AND SHALL BE PERFORMED BY CERTIFIED WELDERS IN ACCORDANCE WITH AWS STANDARDS.
- SOIL REPORT WAS NOT FURNISHED. FOUNDATION DESIGN (CHECK) IS BASED ON A ALLOWABLE BEARING OF 1500 PSF AND ALLOWABLE LATERAL SOIL BEARING PRESSURE OF 150 PSF PER FOOT (CONTRACTOR SHALL VERIFY).
- NORMAL WEIGHT CONCRETE WITH MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI (ATTAINED IN 28 DAYS) IS ASSUMED TO BE USED FOR DESIGN (CHECK) PURPOSE (CONTRACTOR SHALL VERIFY).
- ALL EXISTING STEEL ASSUMED TO HAVE A MINIMUM YIELD STRESS $F_y=35$ KSI (CONTRACTOR SHALL VERIFY).
- PRIOR TO CONSTRUCTION, CONTRACTOR SHALL RE-VERIFY ALL DIMENSIONS SHOWN FOR EXISTING STRUCTURE.
- IF ANY PART OF EXISTING STRUCTURE DOES NOT MEET SPECIFICATIONS LISTED ABOVE OR DIMENSIONS SHOWN ON DRAWING, CONTRACTOR SHALL NOT PROCEED WITH CONSTRUCTION AND SHALL REQUEST FOR A REDESIGN.



12/9/15

SMB
ENGINEERING, LLC

WWW.SMBENGINEERING.NET
TEL: 832-443-7329

TEXAS REGISTRATION NUMBER : F-10116

ACCENT
SIGNS

6015 SKYLINE DRIVE
HOUSTON, TX

WEST U
MARKETPLACE

4004 BELLAIRE BLVD.,
HOUSTON, TX

SCALE : NTS

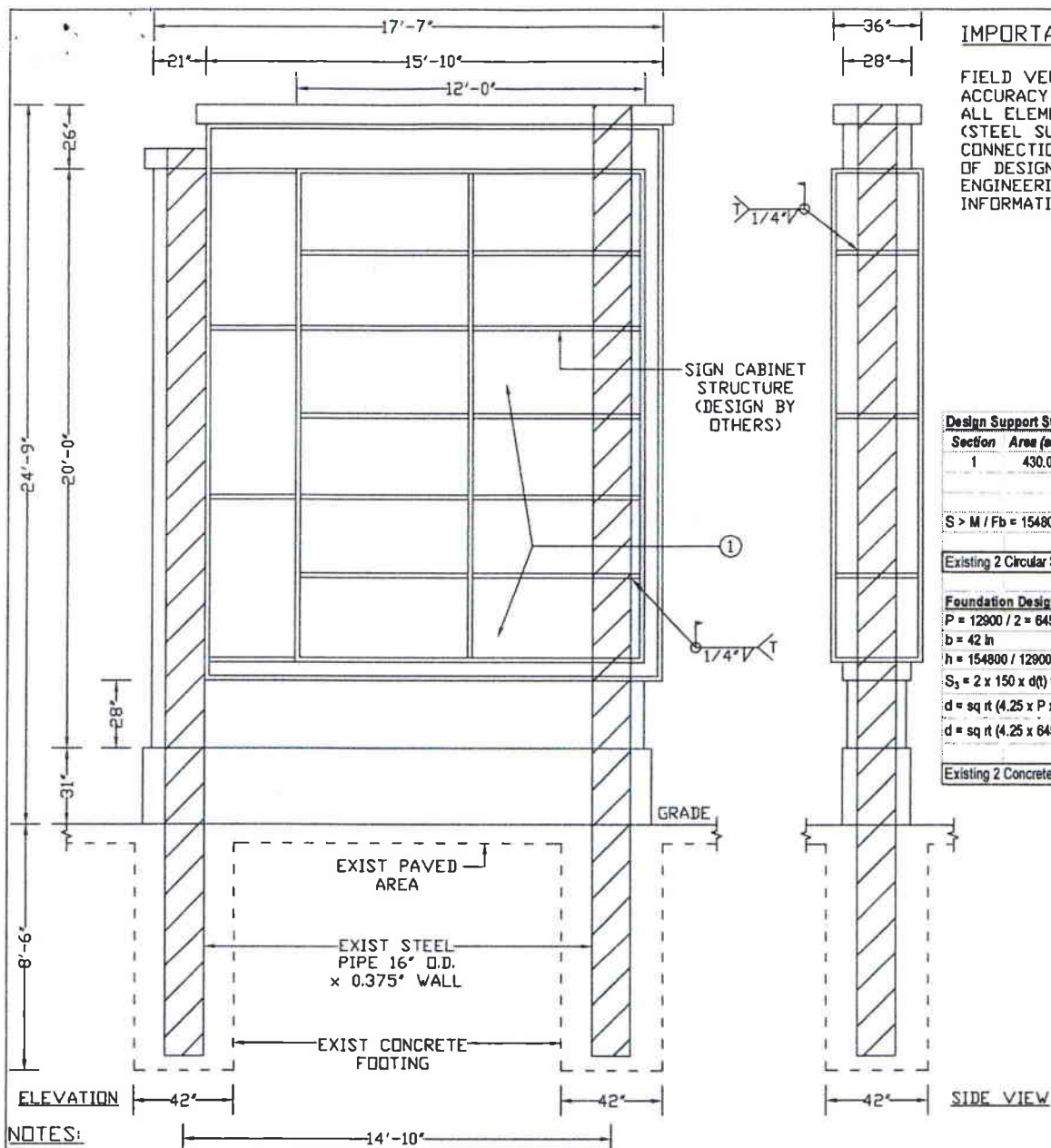
DRAWN BY : HMN

DATE : DEC 2015

PROJECT : 15-1651

REV: 0

PAGE : 1 OF 1



IMPORTANT NOTE:

FIELD VERIFICATION FOR MEASUREMENT ACCURACY AND STRUCTURAL INTEGRITY OF ALL ELEMENTS OF EXISTING STRUCTURE (STEEL SUPPORT, FOUNDATION, CONNECTIONS AND MORE) NOT IN SCOPE OF DESIGN ENGINEER AND SMB ENGINEERING. EXISTING STRUCTURE INFORMATION PROVIDED BY ACCENT SIGNS.

Design Support Steel (Check Existing)

Section	Area (sq ft)	Shape Factor	Wind (psf)	Force	Moment
1	430.00	1	30	12900	154800
				12900	154800

$$S > M / F_b = 154800 \times 12 \times 1.2 \text{ (SF)} / 2 \times 35000 = 31.84 \text{ cu in} < 70.3 \text{ cu in}$$

Existing 2 Circular Steel Pipes 16 in O.D. x 0.375 in Wall are O.K.

Foundation Design (Check Existing)

$$P = 12900 / 2 = 6450$$

$$b = 42 \text{ in}$$

$$h = 154800 / 12900 = 12.0$$

$$S_x = 2 \times 150 \times d(t) = 2 \times 150 \times 7 = 2100$$

$$d = \text{sq rt} (4.25 \times P \times h / S_x \times b)$$

$$d = \text{sq rt} (4.25 \times 6450 \times 12.0 / 2100 \times 3.50) = 6.60 \text{ ft}$$

Existing 2 Concrete Footings 42 in Diameter x 8.5 ft Deep are O.K.

NOTES:

- DESIGN IS BASED ON 2006 IBC - WIND SPEED OF 110 MPH (3-SEC GUST), EXPOSURE C, IMP FACTOR=1.0
- THIS DESIGN IS INTENDED FOR SIGN TO BE INSTALLED AT THE ADDRESS SHOWN AND SHALL NOT BE USED AT ANY OTHER LOCATIONS UNLESS CERTIFIED BY A PROFESSIONAL ENGINEER.
- ENGINEER IS NOT THE ENGINEER OF RECORD FOR THE OVERALL PROJECT AND SHALL ONLY BE RESPONSIBLE FOR THE DESIGN OF SIGN STRUCTURE FOR WHICH CALCULATIONS ARE SHOWN ON THIS PAGE. (SIGN CABINET STRUCTURE DESIGN SHALL BE PROVIDED BY OTHERS).
- ALL NEW HSS TUBE SECTIONS SHALL MEET ASTM A500 GRADE-B WITH MINIMUM YIELD STRESS $F_y=46$ KSI.
- ALL NEW HSS ROUND SECTIONS SHALL MEET ASTM A500 GRADE-B WITH MINIMUM YIELD STRESS $F_y=42$ KSI.
- ALL NEW WIDE FLANGE SECTIONS SHALL MEET ASTM A992 WITH MINIMUM YIELD STRESS $F_y=50$ KSI.
- ALL NEW PIPE (OTHER THAN HSS ROUND) SHALL MEET ASTM A53 GRADE-B WITH MINIMUM YIELD STRESS $F_y=35$ KSI.
- ALL OTHER NEW STEEL INCLUDING CONNECTION PLATES, ANGLES, ETC. SHALL MEET ASTM A36 WITH MINIMUM YIELD STRESS $F_y=36$ KSI.
- ALL STRUCTURAL BOLTS SHALL CONFORM TO ASTM A325 UNLESS OTHERWISE NOTED AND SHALL BE GALVANIZED.
- ALL NEW WELDING SHALL BE MADE WITH E70xx ELECTRODES AND SHALL BE PERFORMED BY CERTIFIED WELDERS IN ACCORDANCE WITH AWS STANDARDS.
- SOIL REPORT WAS NOT FURNISHED. FOUNDATION DESIGN (CHECK) IS BASED ON A ALLOWABLE BEARING OF 1500 PSF AND ALLOWABLE LATERAL SOIL BEARING PRESSURE OF 150 PSF PER FOOT (CONTRACTOR SHALL VERIFY).
- NORMAL WEIGHT CONCRETE WITH MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI (ATTAINED IN 28 DAYS) IS ASSUMED TO BE USED FOR DESIGN (CHECK) PURPOSE (CONTRACTOR SHALL VERIFY).
- ALL EXISTING STEEL ASSUMED TO HAVE A MINIMUM YIELD STRESS $F_y=35$ KSI (CONTRACTOR SHALL VERIFY).
- PRIOR TO CONSTRUCTION, CONTRACTOR SHALL RE-VERIFY ALL DIMENSIONS SHOWN FOR EXISTING STRUCTURE.
- IF ANY PART OF EXISTING STRUCTURE DOES NOT MEET SPECIFICATIONS LISTED ABOVE OR DIMENSIONS SHOWN ON DRAWING, CONTRACTOR SHALL NOT PROCEED WITH CONSTRUCTION AND SHALL REQUEST FOR A REDESIGN.



12/9/15

SMB
ENGINEERING, LLC
WWW.SMBENGINEERING.NET
TEL: 832-443-7328
TEXAS REGISTRATION NUMBER: F-10116

ACCENT
SIGNS
6015 SKYLINE DRIVE
HOUSTON, TX

WEST U
MARKETPLACE
4004 BELLAIRE BLVD.,
HOUSTON, TX

SCALE: NTS
DRAWN BY: HMN
DATE: DEC 2015
PROJECT: 15-1651
REV: 0
PAGE: 1 OF 1

PLAN REVIEW

BY

Clay Chew

DATE: December 18, 2015

ADDRESS: 4004 Bellaire

CONTRACTOR: Accent Sign and Awning

CONTACT NUMBER: 713-780-7151

Please upon re-submittal of your plans insert any corrected plan sheets into the CITY copy set and fold over the corner of the obsolete plan sheet. Thus there will be a complete history of plans submitted on your project.

Thank you for your interest in building in the **City of West University Place**. We are sorry to inform you the plans submitted have been denied. The following list of items will direct you to the corrections necessary to achieve compliance with the codes and ordinances of **West University Place**. Should you have any questions please call 713-662-5833 or 713-662-5834.

1. The new sign design will cause the existing sign to lose its Prior Nonconforming (PNC) status. Changing only the face of the sign does not alter the PNC status of any sign, provided there is no structural alteration or other change.
2. The new sign does not comply with:
 - Section 6-25 (b)
 1. Occupies the space from 2 feet to 4 feet in height.
 3. Is not located in the center third of the building site
 6. Has a larger display area than is allowed

Section 6-25 (e) Taller than 8 feet

ARTICLE II. - SIGNS

Sec. 6-21. - Procedures, defenses, etc.

- (a) Permit and license procedures. The procedures prescribed by this Code for administering building permits (including issuance, revocation, suspension, transfer, etc.) shall also apply to permits under this chapter. The building official may modify forms, etc., to conform to this chapter. All actions of the building official under this chapter, and all applications for interpretations or variances, are subject to the authority of the BSC in the same manner as similar, building-related actions.
- (b) Prior nonconformities. In any proceeding to enforce this article, it is an affirmative defense that, at the time of the offense, the entire sign in question (or at least the aspect of the sign alleged to be in violation) had status as a prior nonconforming. Both the acquisition of PNC status and the loss of PNC status are determined by the principles and procedures set out in article 12 of the zoning ordinance, except that the BSC has the authority of the ZBA. In addition:
 - (1) Changing only the face of a sign, or only the message, does not alter the PNC status of any sign, provided there is no structural alteration or other change.
 - (2) A nonconforming sign without current PNC status may not be moved, repaired, replaced, reconstructed or altered unless it is brought into full compliance with this chapter.
 - (3) On premises where there is a nonconforming sign without current PNC status, no other sign may be placed, constructed, improved or structurally altered.
 - (4) Upon application of the building official, and after providing both notice and an opportunity for a bearing to the owner of the premises, the BSC may order that a sign without current PNC status be removed, relocated or reconstructed. If compensation is required by state or federal law at the time that such action is required, the order shall be conditioned upon compensation being provided.
- (c) Other defenses. In any proceeding to enforce this chapter (but not in a proceeding to enforce state law such as, for example, a proceeding involving a sign on a public road), it shall be an affirmative defense that the sign in question:
 - (1) Was not directed toward persons in motor vehicles within a street area, and no symbols on the sign were taller than 12 inches;
 - (2) Did not remain in one place for three hours or more;
 - (3) Was located more than 30 feet from the nearest street area and completely integrated into the design of a vending machine; or
 - (4) Was required to be displayed by an applicable regulation.It shall also be defense in any proceeding to enforce this chapter with respect to a sign that: (i) the proceeding, in effect, required the sign to be relocated, reconstructed or removed under circumstances (and at a time) when state law required compensation, and (ii) such required compensation was neither offered nor provided as required.

(Code 2003, § 3.203; Ord. No. 1896, § 1, 5-11-2009)

Sec. 6-25. - Sizes; numbers; spacing; design; etc.

- (a) Sizes, numbers, etc. On each building site, limits on the maximum number and sizes of signs are prescribed in table 3-1 of section 6-28.
- (b) Ground signs. A ground sign may not:

- (1) Occupy the space from two feet in height to four feet in height, except for the supports for such sign which shall not occupy more than ten percent of such space. (Exception: This does not apply if the sign is located at least five feet from the nearest roadway, driveway or public sidewalk.);
- (2) Be located within ten feet of a street area, unless it is a fixed sign meeting all other applicable regulations (e.g., permit, height, maximum area);
- (3) Be located outside the center two-thirds of the building site, measured along each street line;
- (4) Be located within 15 feet of any other building site;
- (5) Be located within 100 feet of another ground sign on the same building site that is oriented toward a different street;
- (6) Have more display area than 25 square feet per face if any part is located within ten feet of a street area (otherwise 75 square feet per face); or
- (7) Have any unintegrated supports, sign elements, auxiliary projections or attachments (all must be completely integrated into the design of the sign, both structurally and visually).

This subsection does not apply to sites used for SFR purposes.

(c) Building-mounted signs. A building-mounted sign may not:

- (1) Project more than two feet from the nearest face of the building;
- (2) Be higher than the nearest part of the building;
- (3) Exceed the aggregate size limits set out in table 3-2 of section 6-28; or
- (4) Be mounted on a facade other than the one used to calculate the relevant facade area (RFA) for table 3-2 of section 6-28.

This subsection does not apply to sites used for SFR purposes or to canopy-mounted signs.

(d) Canopy-mounted signs. A canopy-mounted sign may not:

- (1) Be separate from the canopy, either structurally or visually (from all viewpoints within a street area or within a residential building it must appear to be part of the canopy itself, not attached or suspended);
- (2) Exceed the aggregate size limits set out in table 3-2 of section 6-28; or
- (3) Be mounted on a facade other than the one used to calculate the relevant facade area (RFA) for table 3-2 of section 6-28.

This subsection does not apply to sites used for SFR purposes.

- (e) Maximum height. No part of any sign may have a height greater than eight feet. Exception: signs painted on, or affixed directly to, the surface of a building wall or canopy may extend as high as the wall at the point of attachment, if the sign does not face any site within 200 feet used for SFR purposes.
- (f) Coordinated design. All signs related to a shopping center (or other premises with either a common owner or occupant) shall conform to a master sign plan for the whole premises. A master sign plan is not effective unless it is:
 - (1) Submitted by the owner(s) of the premises;
 - (2) Approved by the building official; and
 - (3) Recorded in the real property records of the county. To be approved by the building official, the plan must require that each sign, to the greatest degree practicable:

- a. Have visible elements made of the same materials (Exception: this does not apply to allowed temporary signs); and
- b. Use coordinated design features.

This subsection does not apply to sites used for SFR purposes.

(Code 2003, § 3.207)

Sec. 6-26. - Location, construction.

- (a) Generally. Signs may only be placed and constructed in such places and in such a manner that they will not create a traffic, storm, personal injury or fire hazard. Signs are subject to the zoning ordinance (which regulates, for example, height, placement in yards and orientation on certain corner sites) and all the other applicable regulations.
- (b) Building sites. No sign may be located outside a building site, except for signs duly authorized in street areas and other areas owned or leased by the city. Any sign advertising the name of any business or institution, or advertising anything for sale or lease, must be: (i) located on the same building site where the business or institution is located and operated, or the same building site where the thing is actually for sale or lease, as the case may be, and (ii) covered, blanked-out or concealed within 30 days following the day when the business or institution ceases to be located or operated on the site (or the day when the thing is no longer for sale or lease on the site, as the case may be).
- (c) Screening. The rear of each fixed sign shall be screened so that the supporting structural members are not readily visible by a person:
 - (1) Upon a street area;
 - (2) Upon any site used for SFR purposes; or
 - (3) Within any building used for SFR purposes.

Lattice work, plantings, sign display area or another part of a structure may be used for such screening. Exception: The screening requirement does not apply to structural members that are completely integrated into the design of the sign, both structurally and visually.

- (d) Condition and appearance. Every sign, and its screening, shall be kept in good condition as to structure and appearance.
- (e) Power lines. No part of any sign may be located within ten feet of any power line.

(Code 2003, § 3.208; Ord. No. 1896, § 1, 5-11-2009)



The City of West University Place

A Neighborhood City

NOTICE OF BUILDING AND STANDARDS COMMISSION HEARING

The Building and Standards Commission (“BSC”) of the City of West University Place, Texas (“City”) will hold a public hearing in the Bill Watson Conference Room of the municipal building, 3800 University Boulevard, City of West University Place, Texas 77005, during a meeting set to begin at 6:00 p.m. on **January 7, 2016**. The purpose of the hearing is to provide an opportunity for all persons to be heard in relation to the following matter:

Address of the site: 4004 Bellaire Blvd, West University Place, TX 77005

Legal Description of the Site: LT 6 & TR 5B BLK 87, WEST UNIVERSITY PLACE SEC 2

Docket No.: 2015-04 **Applicant:** Accent Signs & Awnings

Action Requested: Variance to Chapter 6 Article II requesting approval to refurbish and remodel existing sign adjacent to Bellaire Blvd.

Additional Details: The proposed changes to the sign would result in the sign losing its Prior Nonconforming (PNC) status. To retain PNC status the sign face only is allowed to be changed.

Applicable regulations include the City’s Development Regulations, Chapter 18 and Chapter 70 of the Code of Ordinances, Texas Local Government Code and the rules of the BSC. Additional details on such matters, as well as the applicable regulations are available for public inspection in the Public Works Center, 3826 Amherst, West University Place, 77005 and are posted on the city’s website at <http://www.westutx.gov/284/Building-Standards-Commission>. Any person interested in such matters should attend the hearing.

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact the Development Services Office at 713-662-5834 in advance of the meeting. Reasonable accommodations will be made to assist your participation in the meeting. The Municipal Building is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area.

Signed: Josie M. Hayes, for the BSC on December 22, 2015.

Clay Chew, Building Official, cchew@westutx.gov 713-662-5830

